

RESOLUTION NO. CZAB8-35-01

WHEREAS, PRECISION BODY & EQUIPMENT CORP. applied for the following:

- (1) BU-3 to IU-1
- (2) SPECIAL EXCEPTION to permit site plan approval for an industrial development.
- (3) SPECIAL EXCEPTION of spacing requirements to permit a truck body repair shop spaced less than the required 500' from a residentially zoned district to the west.
- (4) NON-USE VARIANCE OF ZONING REQUIREMENTS requiring all manufacturing, rebuilding, storing or renovating operations in the IU district to be confined and completely enclosed within a masonry wall not less than 6' in height; to waive same to permit outdoor storage of truck mounted cargo boxes enclosed by a 6' high chain link fence in lieu of the required wall, and to permit storage above the height of the fence (not permitted).
- (5) NON-USE VARIANCE OF PARKING REQUIREMENTS to permit 30 parking spaces (44 required).
- (6) NON-USE VARIANCE OF LANDSCAPE REQUIREMENTS to permit 33 lot trees (56 required), 9 street trees (15 required), 420 shrubs (710 shrubs required) and a maximum lawn area of 93,844 sq. ft. (3,934.44 sq. ft. permitted).

Plans are on file and may be examined in the Zoning Department entitled "As Built Plans Stefan Lund 3755 N.W. 30 Av., Miami, FL 33142," as prepared by Giorgio Balli, A.I.A., dated signed and sealed 7/9/01 and consisting of 2 sheets and landscaping plans entitled "Precision Auto Stefan Lund 3755 N.W. 30 Avenue, Miami, FL," as prepared by Neitzel Design Group, dated 7/23/01 and consisting of 2 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: All of Tract "A", NORANTONIO ACRES, Plat book 127, Page 57.

LOCATION: 3755 N.W. 30 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 8 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to IU-1 (Item #1) would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the requested special exceptions (Items #2 & 3) and the portion of the requested non-use variance of zoning requirements, as modified to permit outdoor storage of truck mounted cargo boxes enclosed by a 6' high chain link fence in lieu of the required wall along the north, south and east property lines only (Item #4) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance, and that the requested special exceptions (Items #2 & 3) would not have an adverse impact upon the public interest and should be approved, and that the portion of the requested non-use variance of zoning requirements to permit storage above the height of the fence (Item #4), the non-use variance of parking requirements (Item #5) and the non-use variance of landscape requirements (Item #6) would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and

WHEREAS, a motion to approve Items #1 – 3, and the portion of Item #4 as modified to permit outdoor storage of truck mounted cargo boxes enclosed by a 6' high chain link fence in lieu of the required wall along the north, south and east property lines only, and to deny without prejudice the portion of Item #4 to permit storage above the height of the fence and Items #5 & 6 was offered by Kerli Cileli, seconded by Winifred C. Beacham, and upon a poll of the members present the vote was as follows:

Winifred C. Beacham	aye	Bennie Dawson	absent
Bertha M. Carswell	nay	Arthemion Johnson	aye
Kerly Cileli	aye	Margaret Rudolph	nay
Billy Hester		aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 8, that the requested district boundary change to IU-1 be and the same is hereby approved and said property is hereby zoned accordingly.

BE IT FURTHER RESOLVED that the requested special exceptions (Items #2 & 3) and the portion of the non-use variance of zoning requirements, as modified to permit outdoor storage of truck mounted cargo boxes enclosed by a 6' high chain link fence in lieu of the required wall along the north, south and east property lines only (Item #4) be and the same are hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "As Built Plans Stefan Lund 3755 N.W. 30 Av., Miami, FL 33142," as prepared by Giorgio Balli, A.I.A., dated signed and sealed 7/9/01 and consisting of 2 sheets and landscaping plans entitled "Precision Auto Stefan Lund 3755 N.W. 30 Avenue, Miami, FL," as prepared by Neitzel Design Group, dated 7/23/01 and consisting of 2 sheets. Except as modified herein to provide the required landscaping and the required wall along the west side of the subject property.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use and Occupancy.
5. That the applicant obtain a Certificate of Use and Occupancy from the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

6. That the applicant comply with all the conditions and requirements of the Public Works Department.
7. That the applicant comply with all the conditions and requirements of the Department of Environmental Resources Management (DERM).
- ✓ 8. That there shall be no outside storage above the height of the fence/wall.
- ✓ 9. That the required 6 ft. high masonry wall be installed on the west side of the property. Said wall shall meet all code required setbacks and safe site distance triangle requirements.
10. That all temporary structures on the portion of the property indicated for open storage area be removed within 90 days of final approval of this application.
- ✓ 11. That the outdoor storage be limited only to the areas shown on the site plan. Said areas shall be the 56 ft. x 6 ft. storage area to be located along the east side of the property and the 46 ft. x 5 ft. storage area to be located to the north of the portion of the property designated as open area.
12. That all the required landscaping be provided.

BE IT FURTHER RESOLVED, that the portion of the requested non-use variance of zoning requirements to permit storage above the height of the fence (Item #4), and the requested non-use variance of parking requirements (Item #5) and the non-use variance of landscape requirements (Item #6) be and the same are hereby denied without prejudice.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 4th day of December, 2001.

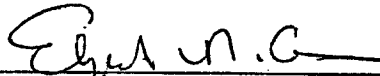
Hearing No. 01-12-CZ8-2
eo

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Elizabeth N. Owens, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 8, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB8-35-01 adopted by said Community Zoning Appeals Board at its meeting held on the 4th day of December, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand on this 7th day of January, 2002.



Elizabeth N. Owens, Deputy Clerk
Miami-Dade County Department of Planning and Zoning

SEAL

